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5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT TACOMA

8 DONALD R. MORRIS, JR.,
9 Plaintiff,
10 v.
11 JO ANNE B. BARNHART, Commissioner of
12 Social Security,
13 Defendant.

7 CASE NO. C04-5689FDB
8
9 ORDER

10 The Court, having reviewed plaintiff's complaint, the Report and Recommendation of Judge Karen
11 L. Strombom, United States Magistrate Judge, the remaining record, and there being no objections to the
12 report and recommendation, does hereby find and ORDER:

- 13 (1) the Court adopts the Report and Recommendation;
14 (2) the ALJ erred in his decision as described in the report;
15 (3) the matter is therefore REVERSED and remanded to the Commissioner for further
16 administrative proceedings; and
17 (4) the Clerk is directed to send copies of this Order to plaintiff's counsel, defendant's counsel
18 and Magistrate Judge Karen L. Strombom.

19 DATED this 16th day of December 2005.

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21 FRANKLIN D. BURGESS
22 UNITED STATES DISTRICT JUDGE
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